

MONDAY, MAY 3, 1999

TWENTY-FIFTH LEGISLATIVE DAY

The House met at 5:00 p.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Representative Davis (Washington).

Representative Davis (Washington) led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present.....98

Representatives present were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Garrett; personal reasons.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 184: Rep(s). Cooper as prime sponsor(s).

House Bill No. 262: Rep(s). Patton as prime sponsor(s).

House Bill No. 811: Rep(s). Davis (Washington) as prime sponsor(s).

MONDAY, MAY 3, 1999 -- TWENTY-FIFTH LEGISLATIVE DAY

House Bill No. 1108: Rep(s). Cooper as prime sponsor(s).

House Bill No. 1218: Rep(s). Bittle, Walley, Maddox, Fitzhugh, White, Hargrove, Turner (Hamilton), Godsey, and Mumpower as prime sponsor(s).

House Bill No. 1405: Rep(s). Cooper as prime sponsor(s).

**MESSAGE FROM THE SENATE
May 3, 1999**

MR. SPEAKER: I am directed to return to the House, Senate Bill(s) No(s). 1455, as requested.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE SENATE
May 3, 1999**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 260; adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

Senate Joint Resolution No. 260 -- Memorials, Public Service - Sam Ramsey, Springfield-Robertson County Chamber of Commerce Volunteer of the Year. by *Graves.

**MESSAGE FROM THE SENATE
May 3, 1999**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 230; adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

Senate Joint Resolution No. 230 -- Memorials, Recognition - Recognizes Tuesday, May 4, 1999, as "National Teachers' Day". by *Womack.

**MESSAGE FROM THE SENATE
May 3, 1999**

MR. SPEAKER: I am directed to return to the House, Senate Bill(s) No(s). 260.

The Senate concurred in House Amendment(s) No(s). 2 and nonconcurred in House Amendment(s) No(s). 1 and 3.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE
May 3, 1999

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 1856 and 1918; passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

Senate Bill No. 1856 -- Employees, Employers - Requires employer to provide reasonable unpaid break time each day for employee to express breast milk for infant child Amends TCA Title 50, Chapter 1, Part 3. by *Cohen, *Kyle. (*HB1842 by *Chumney)

Senate Bill No. 1918 -- Foster Care - Authorizes foster care review boards to make direct referrals to juvenile courts in certain cases; sets time frames for hearings. Amends TCA Section 37-2-406. by *Elsea, *Person. (*HB1669 by *Fowlkes, *Walker (Rhea))

INTRODUCTION OF RESOLUTIONS

On motion, pursuant to **Rule No. 17**, the resolution(s) listed was/were introduced and referred to the appropriate Committee:

***House Joint Resolution No. 211** -- General Assembly, Confirmation of Appointment - Avron Fogelman, State Board of Education. by *Kent.

Previously referred to the House Education Committee

House Joint Resolution No. 213 -- Memorials, Recognition - Cookeville Cook-off. by *Hargrove.

House Calendar and Rules Committee

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for May 4, 1999:

House Resolution No. 45 -- Memorials, Interns - Chris W. Birchfield. by *Whitson, *Todd.

House Resolution No. 46 -- Memorials, Personal Achievement - Ida Frances Phelps Tisdale, Bethel Pride Club's "Mother of the Year". by *Pruitt, *Cooper B, *Bowers, *Chumney, *Langster, *Robinson, *Briley, *West, *Odom, *DeBerry J, *Arriola, *Jones, S..

House Resolution No. 47 -- Memorials, Interns - Zachary Odom. by *Mumpower, *Godsey, *Davis (Washington).

House Resolution No. 48 -- Memorials, Recognition and Thanks - Former members of Rural West Tennessee Democratic Caucus. by *Kisber, *Rinks, *Ridgeway, *Pinion, *White, *Cole (Dyer), *Fitzhugh, *Tidwell, *Phelan, *Maddox, *Naifeh.

MONDAY, MAY 3, 1999 -- TWENTY-FIFTH LEGISLATIVE DAY

House Joint Resolution No. 214 -- Memorials, Academic Achievement - Lydia Gibson, Valedictorian, Hardeman County Home School Program. by *Walley, *Fitzhugh.

House Joint Resolution No. 215 -- Memorials, Public Service - Martha Nan Meredith, Spirit of Johnson City Award recipient. by *Patton, *Davis (Washington).

House Joint Resolution No. 217 -- Memorials, Heroism - Tennesseans in Operation: "Allied Force" in Kosovo. by *Buttry, *Hagood, *Sharp, *Boyer, *Tindell, *Dunn, *Montgomery, *Bittle, *Armstrong, *McCord.

House Joint Resolution No. 218 -- Memorials, Sports - Hendersonville High School Cheerleading Squad National Championship. by *Black.

House Joint Resolution No. 219 -- Memorials, Sports - Hendersonville High School Golden Girls Dance Team. by *Black.

SENATE JOINT RESOLUTIONS (Congratulatory and Memorializing)

Pursuant to **Rule No. 17**, the resolution(s) listed was/were noted as being placed on the Consent Calendar for May 4, 1999:

Senate Joint Resolution No. 260 -- Memorials, Public Service - Sam Ramsey, Springfield-Robertson County Chamber of Commerce Volunteer of the Year. by *Graves.

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

House Bill No. 1970 -- Hardin County - Subject to local approval, designates board of directors of Savannah Industrial Development Corporation to replace board of commissioners of Hardin County Port Authority. Amends Chapter 4 of the Private Acts of 1957. by *Rinks.

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

Senate Bill No. 709 -- Workers' Compensation - Increases from \$10,000 to \$20,000 lump sum amount paid to estate of deceased employee where such employee leaves no dependents. Amends TCA Section 50-6-209. by *Herron. (*HB294 by *Maddox)

***Senate Bill No. 858** -- Sentencing - Enacts "Criminal Sentence Explanation Act of 1999." Amends TCA Title 40, Chapter 35, Part 2. by *Kyle, *Kurita. (HB1141 by *McMillan)

Senate Bill No. 984 -- Courts, Chancery - Authorizes city judges to administer oaths. Amends TCA Title 16, Chapter 18. by *Rochelle. (*HB916 by *Bone)

MONDAY, MAY 3, 1999 -- TWENTY-FIFTH LEGISLATIVE DAY

***Senate Bill No. 1079** -- Banks and Financial Institutions - Revises certain procedures concerning remedies for nonpayment of rent on safe deposit boxes. Amends TCA Section 45-2-907. by *Womack. (HB1258 by *White, *Fitzhugh)

***Senate Bill No. 1120** -- Banks and Financial Institutions - Authorizes credit card state banks to make personal and consumer loans; authorizes making of commercial loans if charter of new bank contains provision or if charter of present bank is amended electing to engage in commercial lending; adds definition of "loan" as any extension of credit for personal, consumer or commercial purposes. Amends TCA Title 45, Chapter 2, Part 19. by *Cooper. (HB1358 by *Fitzhugh, *Rhinehart, *Phelan, *Lewis, *Rinks, *Gunnels)

***Senate Bill No. 1310** -- TennCare - Revives TennCare oversight committee statute; extends committee to 2004; clarifies definition of "MCO." Amends TCA Title 3, Chapter 15, Part 5. by *Herron, *Graves. (HB1433 by *Jackson)

***Senate Bill No. 1459** -- Taxes, Personal Property - Establishes certain policies with respect to classification of property of water transportation carrier companies. Amends TCA Title 67, Chapter 5, Part 13 and Title 67, Chapter 5, Part 5. by *Henry. (HB1193 by *Kisber, *Walley)

Senate Bill No. 1464 -- Courts, General Sessions - Permits judgment creditor to examine judgment debtor in general sessions proceedings Amends TCA Title 16, Chapter 15, Part 7, Section 712. by *Henry, *Haynes. (*HB962 by *Head)

***Senate Bill No. 1544** -- Tobacco, Tobacco Products - Enacts "Tennessee Tobacco Manufacturers' Escrow Fund Act of 1999." Amends TCA Title 47. by *Haun, *Burks, *Williams. (HB1311 by *Givens, *Bowers, *Ferguson, *Roach, *Walker (Rhea))

***Senate Bill No. 1588** -- Consumer Protection - Enacts "Tennessee Identity Theft Deterrence Act of 1999." Amends TCA Title 47, Chapter 18. by *Fowler, *Atchley, *Burchett, *Cohen, *Graves, *Leatherwood, *McNally, *Burks, *Kurita, *Miller J. (HB1104 by *Boyer, *Ford S, *Sharp, *Hagood)

***Senate Bill No. 1595** -- Textbooks - Modifies textbook adoption process - TCA Sections 49-3-310, 49-6-2203, 49-6-2204, and 49-6-2207. by *Elsea, *Atchley, *Burks, *Crowe. (HB1111 by *Montgomery, *Ford S)

***Senate Bill No. 1604** -- Tattoo Parlors and Piercing Establishments - Revises laws pertaining to regulation of tattoo parlors. Amends TCA Title 62, Chapter 38. by *Burchett, *McNally, *Crowe. (HB1120 by *Davis (Washington), *McDaniel)

Senate Bill No. 1609 -- Children, Employment of - Prohibits selling of goods or services in certain circumstances by minors under age 16; specifies penalty for employers violating youth-peddling provisions. Amends TCA Section 50-5-102. by *Clabough, *McNally. (*HB1125 by *Scroggs, *Boyer)

Senate Bill No. 1638 -- Driver Licenses - Imposes certain driving restrictions on persons under age of 18. Amends TCA Title 55, Chapter 50. by *Ramsey, *Haun, *Crowe, *Miller J. (*HB1385 by *Mumpower)

MONDAY, MAY 3, 1999 -- TWENTY-FIFTH LEGISLATIVE DAY

***Senate Bill No. 1649** -- Tobacco, Tobacco Products - Makes importation of cigarettes into Tennessee that have been marked for export out of United States and other violations of federal law offense under state law. Amends TCA Title 67, Chapter 4. by *Haun, *Burks, *Williams. (HB1485 by *Givens)

***Senate Bill No. 1712** -- Insurance Companies, Agents, Brokers, Policies - Enacts "Tennessee Creditor-Placed Insurance Act of 1999." by *Womack. (HB1720 by *Rhinehart, *Buck)

Senate Bill No. 1788 -- Welfare - Broadens offense of fraud of public assistance benefits. Amends TCA Section 71-3-120 and Title 71, Chapter 5, Part 3. by *Fowler, *McNally, *Williams. (*HB1868 by *Scroggs, *McDaniel)

Senate Bill No. 1793 -- Business Organizations - Deletes requirement that limited liability company file certain information that commissioner of revenue may require; directs penalties for limited liability companies that have not filed certain information. Amends TCA Section 48-247-101. by *Leatherwood, *McNally. (*HB1872 by *Sharp, *McDaniel)

Senate Bill No. 1805 -- Aged Persons - Creates enhancement factor by which sentence may be increased within appropriate range that defendant committed theft by fraud or deception against person particularly vulnerable because of age or physical or mental disability; gives person defrauded or deceived civil cause of action against defendant for treble amount of theft, attorney fees and costs. Amends TCA Title 29, Chapter 34, Part 2 and Title 40, Chapter 35, Part 1. by *McNally, *Burks, *Crowe, *Kurita, *Miller J. (*HB1687 by *Chumney)

Senate Bill No. 1826 -- Real Estate Agents and Brokers - Prohibits payment of referral fees unless prior agency relationship exists. Amends TCA Title 62, Chapter 13. by *Ramsey. (*HB1616 by *McMillan, *Rinks, *Godsey, *Mumpower, *Williams (Williamson), *Bone, *Bowers, *Lewis, *Head, *Sands)

Senate Bill No. 1882 -- Education - Requires student to be enrolled in school under name that appears on certificate of birth and to use that throughout school career. Amends TCA Title 49, Chapter 6, Part 51. by *Davis L. (*HB1840 by *Ferguson)

Senate Bill No. 1909 -- Highway Signs - Broadens eligibility for specific service signs to include all multi-lane, controlled-access roads within established guidelines; directs commissioner of transportation to add such roads to the specific service sign system. Amends TCA Title 54. by *Herron. (*HB1629 by *Maddox, *Fitzhugh)

Senate Bill No. 1914 -- Taxes, Ad Valorem - Clarifies that applicable statute of limitations for collection of ad valorem taxes assessed against real and personal property by cities and counties controlled by TCA 67-5-1806 (i.e., ten years from April 1 of year following year in which taxes became delinquent) and not six year statute of limitations that applies to state tax collection under TCA 67-1-1429 or privilege tax collection under TCA 67-1-1501 Amends TCA Section 67-1-1429 and Section 67-1-1501. by *Rochelle. (*HB1496 by *Scroggs)

Senate Bill No. 1945 -- Carroll County - Authorizes West Carroll special school district, located in Carroll County, to sell bonds, by resolution of board of education of district, in aggregate amount of \$7.5 million for school buildings and facilities. Amends Chapter 109 of the Private Acts of 1981. by *Carter. (HB1951 by *Phelan)

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

House Bill No. 1968 -- Lebanon -- Local Bill Held on House Desk

House Bill No. 1969 -- Rutherford County -- Local Bill Held on House Desk

CONSENT CALENDAR

Rep. Kernell moved that the Consent Calendar be considered after the Regular Calendar, which motion prevailed.

REGULAR CALENDAR

House Bill No. 1332 -- Claims Commission, Tennessee - Authorizes bond required for transcript preparation costs in appeal of commissioner of claims decision to be in cash or guaranteed by one or more personal sureties owning real property in Tennessee. Amends TCA Title 9, Chapter 8, Parts 1, 3 and 4. by *Hargrove. (*SB818 by *Crutchfield)

Rep. Hargrove requested that House Bill No. 1332 be moved to the heel of the Calendar.

House Bill No. 1588 -- Election Laws - Changes fund for state financing of voting machines from sinking fund reserve to voting machine loan fund; includes money paid by county under "voting machine loan agreement" as well as contract or lease and option as in present law. Amends TCA Section 2-9-114. by *Hargrove. (*SB1143 by *Crutchfield)

Rep. Hargrove requested that House Bill No. 1588 be moved to the heel of the Calendar.

***House Bill No. 993** -- Election Laws - Changes required number of signatures on petitions for independent and primary candidates from 25 to 40. Amends TCA Section 2-5-101. by *Hargrove. (SB1237 by *Haynes)

Rep. Hargrove requested that House Bill No. 993 be moved to the heel of the Calendar.

***House Bill No. 1036** -- Election Laws - Revises election laws. Amends TCA Sections 2-2-107; 2-2-127; 2-3-201(a); 2-4-102; 2-4-103; 2-4-109; 2-4-110; 2-5-204(c); 2-6-601; 2-8-107(b); 2-12-108; and 2-12-201(a)(1). by *Hargrove. (SB1416 by *Rochelle)

Rep. Hargrove requested that House Bill No. 1036 be moved to the heel of the Calendar.

MONDAY, MAY 3, 1999 -- TWENTY-FIFTH LEGISLATIVE DAY

House Bill No. 987 -- Election Laws - Requires precinct lines to be established on census 2000 boundaries after phase 2 maps under bbasp are submitted to census bureau by office of local government. Amends TCA Title 2, Chapter 3. by *Hargrove, *Rinks. (*SB832 by *Crutchfield)

Rep. Hargrove requested that House Bill No. 987 be moved to the heel of the Calendar.

***House Bill No. 1839** -- Alcoholic Beverages - Authorizes bed and breakfast establishments located in Putnam County to serve alcoholic beverages for consumption on premises. Amends TCA Title 57, Chapter 4. by *Hargrove. (SB1822 by *Cohen)

Rep. Hargrove requested that House Bill No. 1839 be moved to the heel of the Calendar.

House Bill No. 1400 -- Foster Care - Revises information concerning child being placed in foster care which must be provided to foster parents by department of children's services or agency which contracts with department to place children in foster care. Amends TCA Title 37, Chapter 2, Part 4. by *Fowlkes. (*SB567 by *Graves)

Rep. Fowlkes moved that House Bill No. 1400 be passed on third and final consideration.

Rep. Chumney moved adoption of Children and Family Affairs Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1400 by deleting in its entirety all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 37-2-415, is amended by inserting the following language as a new, appropriately designated subsection:

(_) At the time of placement of a child in a foster home, and no later than at the time the foster care placement contract is signed, the foster parent shall be informed, in writing, through a succinct checklist form, of all information that is available to the department regarding the child's:

(1) pending petitions, or adjudications of delinquency when the conduct constituting the delinquent act, if committed by an adult, would constitute first degree murder, second degree murder, rape, aggravated rape, aggravated robbery, especially aggravated robbery, kidnapping, aggravated kidnapping or especially aggravated kidnapping;

(2) behavioral issues which may affect the care and supervision of the child;

- (3) history of physical or sexual abuse; and
- (4) special medical or psychological needs of the child.

All information shall remain confidential and not subject to disclosure to any person by the foster parent.

SECTION 2. Tennessee Code Annotated, Section 37-2-415(a), is amended by inserting in the second sentence the language "or through an agency which contracts with the department to place children in foster care," between the language "children's services," and the words "pursuant to".

SECTION 3. This act shall take effect upon becoming law, the public welfare requiring it.

On motion, Children and Family Affairs Committee Amendment No. 1 was adopted.

Rep. Fowlkes moved that **House Bill No. 1400**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	97
Noes	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

House Bill No. 1056 -- Economic and Community Development - Directs industrial development corporations to assist and encourage minority-owned and other disadvantaged businesses. - Amends TCA Title 7, Chapter 53. by *Brown, *Turner (Shelby). (*SB1146 by *Crutchfield)

Rep. Brown moved that **House Bill No. 1056** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	94
Noes	0
Present and not voting	1

MONDAY, MAY 3, 1999 -- TWENTY-FIFTH LEGISLATIVE DAY

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 94.

Representatives present and not voting were: Dunn -- 1.

A motion to reconsider was tabled.

***House Bill No. 978** -- County Officers - Authorizes county register of deeds in Davidson County to institute automated system for registering deeds and other instruments from remote locations, such instruments to be received, approved and recorded in register's system. Amends TCA Title 8, Chapter 13, Part 1. by *Briley, *Jones, S., *Garrett, *Robinson, *Harwell, *West, *Pruitt, *Langster. (SB1845 by *Henry)

Rep. Briley moved that House Bill No. 978 be passed on third and final consideration.

Rep. U. Jones moved adoption of State and Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 978 By designating the new subsection in Section 1 of the printed bill as subdivision (1), and by adding the following language at the end of the amendatory language of Section 1 to be designated as subdivision (2):

(2) The office of register of deeds in such county is further authorized to implement a method to accept the optional payment of fees for recording deeds and other instruments by means of electronic funds transfer. The method implemented shall insure that such transfer is properly documented and recorded.

On motion, State and Local Government Amendment No. 1 was adopted.

Rep. U. Jones moved adoption of State and Local Government Committee Amendment No. 2 as follows:

Amendment No. 2

AMEND House Bill No. 978 By adding the following language as new subdivisions to the amendatory language of Section 1, as amended by House State & Local Government Committee Amendment No. 1, to be designated as indicated:

(3) Any register implementing an automated system for recording deeds and other instruments electronically transmitted from remote locations shall file a statement with the comptroller of the treasury at least thirty (30) days prior to offering such service. The statement shall contain the following information:

(i) a description of the computer hardware and software to be utilized;

(ii) a description of the procedures to be used to provide electronic recording of deeds and other instruments electronically transmitted from remote locations;

(iii) a description of the system security features;

(iv) a description of register's office personnel who will be responsible for setting up remote users and for monitoring remote access activity;

(v) a description of the types of records or documents to be electronically recorded;

(vi) a description of the integration of the electronic recording system with the register's office other automated systems such as imaging, indexing, fee collection, cash management and accounting;

(vii) a description of the instrument archive, document retrieval, and system backup policies and procedures;

(viii) the estimated cost of the system including development and implementation cost; and

(ix) the estimated cost savings of electronic recording of instruments.

(4) A register which implements an automated system for recording electronically transmitted deeds and other instruments from remote locations shall provide to the comptroller of the treasury a post implementation review of the system between twelve (12) and eighteen (18) months after the date a statement as described in this section has been filed with the comptroller. The review shall include:

(i) an assessment of the system by the register;

(ii) responses from a survey of users of the system; and

(iii) any recommendations for improvements to an automated system for recording deeds and other instruments electronically transmitted from remote locations.

On motion, State and Local Government Amendment No. 2 was adopted.

MONDAY, MAY 3, 1999 -- TWENTY-FIFTH LEGISLATIVE DAY

Rep. Briley moved that **House Bill No. 978**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes96
Noes0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

***House Bill No. 1006** -- Architects, Engineers and Designers - Expands present immunity for architects and engineers who provide inspection services at scene of earthquakes to also apply at scene of natural disaster. Amends TCA Section 62-2-109. by *Briley, *Towns, *Jones, S., *Harwell, *McMillan, *Head. (SB1078 by *Harper)

Rep. Briley moved that House Bill No. 1006 be passed on third and final consideration.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1006 by inserting in Section 1 the language "of subsection (a)" between the word "sentence" and the words "by inserting".

AND FURTHER AMEND by adding the following language as a new appropriately designated section immediately preceding the effective date section:

SECTION ____ Tennessee Code Annotated, Section 62-2-109, is amended in the last sentence of subsection (a) by adding the language "or natural disaster" after the word "earthquake".

On motion, Judiciary Committee Amendment No. 1 was adopted.

Rep. Briley moved that **House Bill No. 1006**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes98
Noes0

MONDAY, MAY 3, 1999 -- TWENTY-FIFTH LEGISLATIVE DAY

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.

House Bill No. 1218 -- Tort Liability - Extends civil liability immunity provided under Good Samaritan Law to use of automated external defibrillators, provided training and testing requirements are met. Amends TCA Section 63-6-218. by *Harwell, *Caldwell. (*SB1158 by *Henry)

Rep. Harwell moved that House Bill No. 1218 be passed on third and final consideration.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1218 by deleting SECTION 3 and SECTION 4 of the printed bill and by substituting instead the following:

SECTION 3. In order for entity to use or allow the use of an automated external defibrillator, the entity shall:

(1) establish a program for the use of an AED that includes a written plan that complies with subsections 2 through 6 and rules adopted by the department of health. The plan must specify:

(a) where the AED will be placed

(b) the individuals who are authorized to operated

(c) how AED will be coordinated with an emergency medical service providing services in the area where AED is located;

(d) the maintenance and testing that will be performed on the AED;

(e) records that will be kept by the program

(f) reports that will be made of AED use;

- (g) other matters as specified by the department
 - (h) a plan of action for proper usage of the AED
- (2) adhere to the written plan required by subsection (1);
- (3) ensure that before using the AED, expected users receive appropriate training approved by the department in cardiopulmonary resuscitation and the proper use of an AED;
- (4) maintain, test, and operate the AED according to the manufacturer's guidelines and maintain written records of all maintenance and testing performed on the AED;
- (5) each time an AED is used for an individual in cardiac arrest, require that an emergency medical service is summoned to provide assistance as soon as possible and that the AED use is reported to the supervising physician or the person designated by the physician and to the department as required by the written plan;
- (6) before allowed any use of an AED, provide to the emergency communications district or the primary provider of emergency medical services where the defibrillator is located:
- (a) a copy of the plan prepared pursuant to this section;
- and
- (b) written notice, in a format prescribed by department rules, stating:
 - (i) that an AED program is established by the entity
 - (ii) where the AED is located; and
 - (iii) how the use of the AED is to be coordinated with the local emergency medical service system.

SECTION 4. (1) The department of health shall adopt rules specifying the following:

- (a) the contents of the written notice required by Section 3
- (b) reporting requirements for each use of an AED;
- (c) the contents of a plan prepared in accordance with Section 3 and requirements applicable to the subject matter of the plan;

(d) training requirements in cardiopulmonary resuscitation and AED use that are consistent with the scientific guidelines of the American Heart Association for any individual authorized by an AED program plan to use an AED;

(e) requirements for medical supervision of an AED program;

(f) performance requirements for an AED in order for the AED to be used in an AED program; and

(g) a list of the AED training programs approved by the department.

SECTION 5. The entity responsible for the AED program shall not be liable for any civil liability for any personal injury that results from an act or omission that does not amount to willful or wanton misconduct or gross negligence if the applicable provisions and program established under Section 3 and the rules adopted by the department pursuant to Section 4 have been met by the entity and have been followed by the individuals using the AED.

SECTION 6. An individual providing training to others in an approved program on the use of an AED shall be held harmless by the employer of the trainer for damages caused by training that was negligent.

SECTION 7. For purposes of this act expected AED users shall complete training and demonstrate competence in CPR and the use of an AED through a course of instruction approved by the Tennessee Emergency Medical Services Board.

SECTION 8. For purposes of this act "automated external defibrillator" means a medical device heart monitor and defibrillator that:

(1) has received approval of its premarket notification, filed pursuant to United States Code title 21, section 360(k), from the United States Food and Drug Administration;

(2) is capable of recognizing the presence or absence of ventricular fibrillation or rapid ventricular tachycardia, and is capable of determining, without intervention by an operator whether defibrillation should be performed; and

(3) upon determining that defibrillation should be performed, automatically charges and requests delivery of an electrical impulse to an individual's heart.

SECTION 9. The provisions of this act shall only apply to situations involving emergency use of an AED and in no case shall it apply where there is a duty to provide care.

SECTION 10. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Judiciary Committee Amendment No. 1 was adopted.

Rep. Harwell moved that **House Bill No. 1218**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes98
Noes0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.

House Bill No. 1219 -- Tennessee Regulatory Authority - Changes title of members of Tennessee regulatory authority from "director" to "commissioner" and changes "agency executive secretary" to "executive director." Amends TCA Section 65-1-201; Section 65-1-202; Section 65-1-203; Section 65-1-204; Section 65-1-205; Section 65-1-207 and Section 65-1-209. by *Harwell. (*SB1159 by *Henry)

Rep. Harwell moved that House Bill No. 1219 be passed on third and final consideration.

Rep. Kernell moved adoption of Government Operations Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1219 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 65-1-201, is amended by deleting the word "directors" and substituting instead the word "commissioners" in subsection (a) and (b) and by deleting the word "director" and substituting the word "commissioner" in subsections (c), (d), and (f).

SECTION 2. Tennessee Code Annotated, Section 65-1-202, is amended by deleting the word "director" wherever it appears and substituting instead the word "commissioner".

MONDAY, MAY 3, 1999 -- TWENTY-FIFTH LEGISLATIVE DAY

SECTION 3. Tennessee Code Annotated, Section 65-1-203, is amended by deleting the word "directors" and substituting the word "commissioners" in subsection (a).

SECTION 4. Tennessee Code Annotated, Section 65-1-204, is amended by deleting the word "directors" and substituting instead the word "commissioners" in subsection (a) and by deleting the word "secretary" and substituting the word "director" wherever it appears.

SECTION 5. Tennessee Code Annotated, Section 65-1-205, is amended by deleting the word "directors" wherever it appears and substituting instead the word "commissioner" and by deleting the word "secretary" wherever it appears and substituting the word "director".

SECTION 6. Tennessee Code Annotated, Section 65-1-207, is amended by deleting the word "director" and substituting instead the word "commissioner" in subsections (a) and (c), and further amended by deleting the word "directors" and substituting the word "commissioners" in subsection (b).

SECTION 7. Tennessee Code Annotated, Section 65-1-209, is amended by deleting the word "secretary" wherever it appears and substituting the word "director".

SECTION 8. As sections, parts, chapters, titles, and volumes of Tennessee Code Annotated are amended, repealed, revised and replaced, the Tennessee Code Commission is directed to change any reference to the "directors" or "director" of the Tennessee Regulatory Authority to "commissioners" or "commissioner" of the Tennessee Regulatory Authority and to change any reference to "executive secretary" to the "executive director" of the Tennessee Regulatory Authority.

SECTION 9. Tennessee Code Annotated, Section 65-1-204(a), is amended by deleting from the first sentence the language ", and shall elect one (1) of its directors chair of the authority for a two-year term".

SECTION 10. Tennessee Code Annotated, Section 65-1-204, is amended by adding the following new subsection:

() The commissioner serving as chair on the effective date of this act shall continue to serve as chair of the authority through June 30, 1999. On July 1, 1999, the commissioner appointed by the speaker of the house of representatives shall become chair of the authority and shall continue to serve as chair through June 30, 2000. On July 1, 2000, the commissioner appointed by the speaker of the senate shall become chair of the authority and shall continue to serve as chair through June 30, 2001. On July 1, 2001, the commissioner appointed by the governor shall become chair of the authority and shall continue to serve as chair through June 30, 2002. Annually thereafter, on July 1, the position of chair of the authority shall be determined based on the appointing authority in the same rotation as provided for by the provisions of this subsection.

MONDAY, MAY 3, 1999 -- TWENTY-FIFTH LEGISLATIVE DAY

SECTION 11. If any provision of this act or the application thereof to any person or circumstance is held invalid, then all provisions and applications of this act are declared to be invalid and void.

SECTION 12. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Government Operations Committee Amendment No. 1 was adopted.

Rep. Harwell moved that **House Bill No. 1219**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes98
Noes0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.

***House Joint Resolution No. 116** -- Highway Signs - "Reed H. Thomas Memorial Bridge," S.R. 390 over Holston River in Sullivan County. by *Godsey.

Rep. Godsey moved that House Joint Resolution No. 116 be adopted.

Rep. Robinson moved adoption of Transportation Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Joint Resolution No. 116 By deleting from the caption of the introduced resolution the language "Reed H. Thomas Memorial Bridge" and by substituting instead the language "Reed H. Thomas Veterans Memorial Bridge".

AND FURTHER AMEND by deleting from the first resolving clause of the introduced resolution the language "Reed H. Thomas Memorial Bridge" and by substituting instead the language "Reed H. Thomas Veterans Memorial Bridge".

AND FURTHER AMEND by deleting from the second resolving clause of the introduced resolution the language "Reed H. Thomas Memorial Bridge" and by substituting instead the language "Reed H. Thomas Veterans Memorial Bridge".

MONDAY, MAY 3, 1999 -- TWENTY-FIFTH LEGISLATIVE DAY

On motion, Transportation Committee Amendment No. 1 was adopted.

Rep. Godsey moved that **House Joint Resolution No. 116**, as amended, be adopted, which motion prevailed by the following vote:

Ayes96

Noes0

Representatives voting aye were: Armstrong, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

***House Bill No. 783** -- Managed Care Organizations - Prohibits discrimination by certain health plans against certain physicians practicing in health resource shortage area who lack board certification. Amends TCA Title 56 and Title 63. by *Ferguson. (SB1290 by *Davis L)

Rep. Ferguson moved that House Bill No. 783 be passed on third and final consideration.

Rep. Rhinehart moved adoption of Commerce Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 783 by deleting all language after the enacting clause and substituting the following language instead:

SECTION 1. Tennessee Code Annotated, Title 56, Chapter 32, is amended by adding the following as a new section to be appropriately designated:

Section _____. (a) A managed health insurance insurer, as such term is defined in Section 56-32-228, shall not discriminate with respect to participation, referral, reimbursement of covered services or indemnification relative to any shortage area physician, who is acting within the scope of the physician's license and meets the other requirements of this section, solely on the basis of the lack of an optional board certification. For purposes of this section, a "shortage area physician" is a physician who:

- (1) Is licensed to practice medicine in Tennessee;

(2) Has been in practice for at least five (5) years;

(3) Currently practices in an area which has been designated a "health resource shortage area" for at least three (3) consecutive years prior to 1998; and

(4) Has completed an accredited residency in family practice;

(5) Completed graduate medical education prior to 1986.

A "shortage area physician" shall not include any physician

(1) Whose license has been previously suspended, revoked or restricted in any manner by the Division of Health Related Boards or the Board of Medical Examiners pursuant to any provision in Tennessee Code Annotated, Title 63;

(2) Whose authority to prescribe controlled substances has been restricted by the U. S. Drug Enforcement Agency (D.E.A.) because of inappropriate prescribing; or

(3) Whose participation in Medicare, Medicaid, CHAMPUS, or any other medical program funded in whole or in part with federal and/or state funds has been restricted by those programs because of inappropriate activities by the physician.

(b) At the insurer's discretion, the physician may be required to maintain continuing education as required by the American Academy of Family Practice in lieu of an optional board certification. A grace period of one (1) year shall apply to allow the physician to become compliant with this section, if applicable.

(c) At the insurer's discretion, the physician may be denied continued participation in the managed health insurance insurer's plan at any time it is determined the physician no longer meets any requirement of sections (a) or (b).

(d) Nothing contained in this section shall be construed or interpreted as applying to the TennCare programs administered pursuant to the waivers approved by the United States Department of Health and Human Services.

SECTION 2. This act shall take effect upon becoming a law and shall automatically expire July 1, 2000, the public welfare requiring it.

On motion, Commerce Committee Amendment No. 1 was adopted.

Rep. Ferguson moved adoption of Amendment No. 2 as follows:

Amendment No. 2

AMEND House Bill No. 783 In the amendatory language of Section 1 by deleting in subsection (b) the language "continuing education as required by the American Academy of Family Practice" and by substituting instead the language "appropriate continuing education".

On motion, Amendment No. 2 was adopted.

Rep. Ferguson moved that **House Bill No. 783**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	98
Noes	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.

House Bill No. 1542 -- Motor Vehicles - Rewrites certain portions of Motor Vehicle Habitual Offenders Act. Amends TCA Title 55, Chapter 10, by *Scroggs, *Westmoreland, *McDonald, *Jackson, *Sands, *Briley. (*SB1468 by *Haun, *McNally)

Rep. Scroggs moved that House Bill No. 1542 be passed on third and final consideration.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1542 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 55-10-603(2)(A) is amended by deleting subsections (ix), (x), (xi) and (xii) in their entirety and substituting instead the following:

(_) A violation of Section 39-13-218, relative to aggravated vehicular homicide; or

MONDAY, MAY 3, 1999 -- TWENTY-FIFTH LEGISLATIVE DAY

() A violation of Section 55-10-418, relative to adult driving while impaired; and

SECTION 2. This act shall take effect January 1, 2000, the public welfare requiring it.

On motion, Judiciary Committee Amendment No. 1 was adopted.

Rep. Scroggs moved that **House Bill No. 1542**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	94
Noes	0
Present and not voting	3

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Boyer, Briley, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 94.

Representatives present and not voting were: Bowers, Brooks, Cooper -- 3.

A motion to reconsider was tabled.

House Bill No. 575 -- Public Records - Specifies that inmate records are open to public inspection. Amends TCA Title 10, Chapter 7, Part 5. by *McDonald, *Sands. (*SB647 by *Springer, *Rochelle)

On motion, House Bill No. 575 was made to conform with **Senate Bill No. 647**; the Senate Bill was substituted for the House Bill.

Rep. McDonald moved that Senate Bill No. 647 be passed on third and final consideration.

On motion, Rep. Buck withdrew Judiciary Committee Amendment No. 1.

Rep. McDonald moved that **Senate Bill No. 647** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	97
Noes	0
Present and not voting	1

MONDAY, MAY 3, 1999 -- TWENTY-FIFTH LEGISLATIVE DAY

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

Representatives present and not voting were: Brooks -- 1.

A motion to reconsider was tabled.

***House Bill No. 1490** -- Education - Includes Alvin C. York Institute within provisions of Safe Schools Act. Amends TCA Title 49, Chapter 1. by *Windle. (SB1693 by *Davis L)

Rep. Windle moved that House Bill No. 1490 be passed on third and final consideration.

Rep. Davidson moved adoption of Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1490 by inserting in the amendatory language of Section 1 of the printed bill after the words "Alvin C. York Institute" the following:

, the School for the Blind, the School for the Deaf, and the Tennessee Preparatory School.

On motion, Amendment No. 1 was adopted.

Rep. Windle moved that **House Bill No. 1490**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes98
Noes0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

MONDAY, MAY 3, 1999 -- TWENTY-FIFTH LEGISLATIVE DAY

A motion to reconsider was tabled.

***House Bill No. 297** -- Safety - Requires fire drills three times a year rather than twice a month in buildings occupied by educational institutions. Amends TCA Section 68-102-137. by *Maddox. (SB1437 by *Herron)

Further consideration of House Bill No. 297 previously considered on April 28, 1999, at which time it was reset for today's Calendar.

Rep. Maddox requested that House Bill No. 297 be moved down 1 place on the Calendar.

***House Bill No. 321** -- Education - Requires seven safety drills per school term rather than two; specifies that at least four drills shall involve evacuation of entire building. Amends TCA Section 49-5-201. by *Maddox. (SB1438 by *Herron)

Further consideration of House Bill No. 321 previously considered on April 28, 1999, at which time it was reset for today's Calendar.

Rep. Maddox moved that House Bill No. 321 be passed on third and final consideration.

Rep. Davidson moved adoption of Education Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 321 by deleting the amendatory language in Section 1 of the printed bill and substituting the following:

(7) Give nine (9) safety drills each year, of which six (6) shall involve full evacuation of the building and three (3) may include inclement weather, earthquake, intruder, or other emergency drills not requiring full evacuation. Two (2) of the six drills involving full evacuation must occur within the first thirty (30) days of the school year.

On motion, Education Committee Amendment No. 1 was adopted.

Rep. Newton moved adoption of Amendment No. 2 as follows:

Amendment No. 2

AMEND House Bill No. 321 by deleting Section 1 of the printed bill and by substituting instead the following:

Section 1. Tennessee Code Annotated, Section 49-5-201(a)(7), is amended by deleting the subdivision in its entirety and by substituting instead the following:

MONDAY, MAY 3, 1999 -- TWENTY-FIFTH LEGISLATIVE DAY

(7) Give one (1) fire drill requiring full evacuation every month during the school year, with an additional fire drill to be conducted within the first thirty (30) days of operation, and three (3) additional safety drills during the school year, which may include inclement weather, earthquake, intruder, or other emergency drills not requiring full evacuation.

Rep. Maddox moved that the motion to adopt Amendment No. 2 be tabled, which motion prevailed by the following vote:

Ayes53
Noes40

Representatives voting aye were: Armstrong, Arriola, Bone, Briley, Brooks, Buck, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Eckles, Fitzhugh, Fowlkes, Fraley, Givens, Hargrove, Harwell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kisber, Langster, Maddox, McDonald, McMillan, Odom, Patton, Phelan, Phillips, Pinion, Pruitt, Rhinehart, Ridgeway, Rinks, Robinson, Sands, Stulce, Tidwell, Todd, Turner (Hamilton), Walley, West, White, Williams, Windle, Winningham, Mr. Speaker Naifeh -- 53.

Representatives voting no were: Baird, Beavers, Bittle, Black, Bowers, Boyer, Brown, Bunch, Buttry, Davis (Washington), Dunn, Ferguson, Ford, Godsey, Goins, Gunnels, Hagood, Hargett, Hassell, Kernell, Kerr, McAfee, McCord, McDaniel, McKee, Miller, Montgomery, Mumpower, Newton, Pleasant, Roach, Sargent, Scroggs, Sharp, Towns, Turner (Shelby), Walker, Westmoreland, Whitson, Wood -- 40.

Rep. Maddox moved that **House Bill No. 321**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes98
Noes0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.

MONDAY, MAY 3, 1999 -- TWENTY-FIFTH LEGISLATIVE DAY

***House Bill No. 297** -- Safety - Requires fire drills three times a year rather than twice a month in buildings occupied by educational institutions. Amends TCA Section 68-102-137. by *Maddox. (SB1437 by *Herron)

Further consideration of House Bill No. 297 previously considered on today's Calendar.

Rep. Maddox moved that House Bill No. 297 be passed on third and final consideration.

Rep. Davidson moved adoption of Education Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 297 by deleting the word and figure "three (3)" in Section 1 of the printed bill and substituting the word and figure "six (6)".

On motion, Education Committee Amendment No. 1 was adopted.

Rep. Newton moved adoption of Amendment No. 2 as follows:

Amendment No. 2

AMEND House Bill No. 297 by deleting Section 1 of the printed bill and by substituting instead the following:

Section 1. Tennessee Code Annotated, Section 68-102-137(b), is amended by deleting the language "Fire drills shall be held at least twice a month" and by substituting instead the language "Fire drills requiring full evacuation shall be held at least once a month during the school year, with an additional fire drill to be conducted within the first thirty (30) days of operation".

Rep. Maddox moved that the motion to adopt Amendment No. 2 be tabled, which motion prevailed.

Rep. Maddox moved that **House Bill No. 297**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	97
Noes	0
Present and not voting	1

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winingham, Wood, Mr. Speaker Naifeh -- 97.

MONDAY, MAY 3, 1999 -- TWENTY-FIFTH LEGISLATIVE DAY

Representatives present and not voting were: Boyer -- 1.

A motion to reconsider was tabled.

***House Bill No. 262** -- Election Laws - Requires that state election commission instead of POST commission verify qualifications of person seeking office of sheriff; establishes time limits for such verification. Amends TCA Title 2, Chapter 11, Part 1; Title 2, Chapter 5, Part 2 and Title 8, Chapter 8, Part 1. by *Buck. (SB875 by *Burks)

Further consideration of House Bill No. 262 previously considered on April 29, 1999, at which time the House adopted Amendment No. 1 and reset the bill to today's Calendar.

Rep. Buck moved that House Bill No. 262 be passed on third and final consideration.

Rep. Buck moved that Amendment No. 2 be withdrawn, which motion prevailed.

Rep. Buck moved adoption of Amendment No. 3 as follows:

Amendment No. 3

AMEND House Bill No. 262 by deleting from the directory language of Section 1 as amended by House State and Local Government Committee Amendment #1 the language "and (8) in their entirety" and by substituting instead the language "in its entirety".

AND FURTHER AMEND by deleting subdivision (8) from the amendatory language of Section 1 as amended by House State and Local Government Committee Amendment # 1 in its entirety.

On motion, Amendment No. 3 was adopted.

Rep. Newton moved the previous question, which motion prevailed.

Rep. Buck moved that **House Bill No. 262**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes	0
Present and not voting	3

MONDAY, MAY 3, 1999 -- TWENTY-FIFTH LEGISLATIVE DAY

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

Representatives present and not voting were: Brooks, Brown, Miller -- 3.

A motion to reconsider was tabled.

House Bill No. 1720 -- Insurance Companies, Agents, Brokers, Policies - Enacts "Tennessee Creditor-Placed Insurance Act of 1999." by *Rhinehart, *Buck. (*SB1712 by *Womack)

Further consideration of House Bill No. 1720 previously considered on April 29, 1999, at which time the House lifted the motion to reconsider the bill from the table, reconsidered action in passing the bill, and reset the bill for today's Calendar.

On motion, House Bill No. 1720 was made to conform with **Senate Bill No.1712**; the Senate Bill was substituted for the House Bill.

Rep. Rhinehart moved that **Senate Bill No. 1712** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	88
Noes	3
Present and not voting	5

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kerr, Kisber, Langster, Lewis, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Montgomery, Mumpower, Newton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Turner (Hamilton), Turner (Shelby), Walker, Walley, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 88.

Representatives voting no were: Bowers, Miller, Towns -- 3.

Representatives present and not voting were: Cooper, Maddox, Odom, Patton, West -- 5.

MONDAY, MAY 3, 1999 -- TWENTY-FIFTH LEGISLATIVE DAY

A motion to reconsider was tabled.

House Bill No. 1332 -- Claims Commission, Tennessee - Authorizes bond required for transcript preparation costs in appeal of commissioner of claims decision to be in cash or guaranteed by one or more personal sureties owning real property in Tennessee. Amends TCA Title 9, Chapter 8, Parts 1, 3 and 4. by *Hargrove. (*SB818 by *Crutchfield)

Further consideration of House Bill No. 1332 previously considered on today's Calendar.

On motion, House Bill No. 1332 was made to conform with **Senate Bill No. 818**; the Senate Bill was substituted for the House Bill.

Rep. Hargrove moved that **Senate Bill No. 818** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes98
Noes0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.

House Bill No. 1588 -- Election Laws - Changes fund for state financing of voting machines from sinking fund reserve to voting machine loan fund; includes money paid by county under "voting machine loan agreement" as well as contract or lease and option as in present law. Amends TCA Section 2-9-114. by *Hargrove. (*SB1143 by *Crutchfield)

Further consideration of House Bill No. 1588 previously considered on today's Calendar.

Rep. Hargrove moved that **House Bill No. 1588** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes98
Noes0

MONDAY, MAY 3, 1999 -- TWENTY-FIFTH LEGISLATIVE DAY

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.

***House Bill No. 993** -- Election Laws - Changes required number of signatures on petitions for independent and primary candidates from 25 to 40. Amends TCA Section 2-5-101. by *Hargrove. (SB1237 by *Haynes)

Further consideration of House Bill No. 993 previously considered on today's Calendar.

Rep. Hargrove moved that House Bill No. 993 be passed on third and final consideration.

Rep. U. Jones moved adoption of State and Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 993 By deleting in its entirety all the language following the enacting clause, and by substituting instead the following language:

SECTION 1. Tennessee Code Annotated, Section 2-5-101(a), is amended by deleting the language "Independent and primary candidates", and by substituting instead the language "Except for candidates in municipal elections as provided in subdivisions (3) and (4), independent and primary candidates qualifying for an August primary election shall qualify by filing all nominating petitions, including any duplicate nominating petitions required to be filed under §§ 2-5-103 and 2-5-104, no later than twelve o'clock (12:00) noon, prevailing time, on the first Thursday in the fourth calendar month before the August election. Independent and primary candidates for all other elections".

SECTION 2. Tennessee Code Annotated, Section 2-5-101(a)(1), is amended by deleting the language "third Thursday in May", and by substituting instead the first Thursday in April".

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, State and Local Government Committee Amendment No. 1 was adopted.

MONDAY, MAY 3, 1999 -- TWENTY-FIFTH LEGISLATIVE DAY

Rep. Hargrove moved that **House Bill No. 993**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes97
Noes0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

***House Bill No. 1036** -- Election Laws - Revises election laws. Amends TCA Sections 2-2-107; 2-2-127; 2-3-201(a); 2-4-102; 2-4-103; 2-4-109; 2-4-110; 2-5-204(c); 2-6-601; 2-8-107(b), 2-12-108; and 2-12-201(a)(1). by *Hargrove. (SB1416 by *Rochelle)

Further consideration of House Bill No. 1036 previously considered on today's Calendar.

On motion, House Bill No. 1036 was made to conform with **Senate Bill No. 1416**; the Senate Bill was substituted for the House Bill.

Rep. Hargrove moved that Senate Bill No. 1416 be passed on third and final consideration.

On motion, Rep. U. Jones withdrew State and Local Government Committee Amendment No. 1.

Rep. U. Jones moved adoption of State and Local Government Committee Amendment No. 2 as follows:

Amendment No. 2

AMEND Senate Bill No. 1416 By adding the following language at the end of Section 12 following subdivision (G):

Tennessee Code Annotated, Section 2-12-108(a)(2)(B), is amended by deleting the subitem in its entirety and by substituting instead the following language:

(B) In counties having a population of eight hundred thousand (800,000) or more according to the 1990 federal census or any subsequent federal census, the chair of the county election commission shall receive one thousand one hundred-fifty dollars (\$1,150.00) per month and each other member of the commission shall receive one thousand dollars (\$1,000.00) per month.

Rep. U. Jones moved that Amendment No. 1 to Amendment No. 2 be withdrawn, which motion prevailed.

On motion, State and Local Government Committee Amendment No. 2 was adopted.

Rep. Todd moved that Amendment No. 3 be withdrawn, which motion prevailed.

Rep. U. Jones moved adoption of Amendment No. 4 as follows:

Amendment No. 4

AMEND Senate Bill No. 1416 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION _____. Notwithstanding any other provision of law to the contrary, no amendment to the county budget of any county having a population of eight hundred thousand (800,000) or more according to the 1990 federal census or any subsequent federal census shall require approval by a resolution adopted by a two-third (2/3) vote of the county commission of such county.

Rep. U. Jones moved that Amendment No. 1 to Amendment No. 4 be withdrawn, which motion prevailed.

On motion, Amendment No. 4 was adopted.

Rep. Hargrove moved that **Senate Bill No. 1416**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	87
Noes	6
Present and not voting	4

Representatives voting aye were: Armstrong, Arriola, Baird, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Eckles, Ferguson, Fitzhugh, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Hagood, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Odom, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sharp, Stulce, Tidwell, Tindell, Todd, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 87.

Representatives voting no were: Bunch, Dunn, Hargett, McCord, Sargent, Scroggs -- 6.

MONDAY, MAY 3, 1999 -- TWENTY-FIFTH LEGISLATIVE DAY

Representatives present and not voting were: Beavers, Ford, Newton, Patton -- 4.

A motion to reconsider was tabled.

House Bill No. 987 -- Election Laws - Requires precinct lines to be established on census 2000 boundaries after phase 2 maps under bbsp are submitted to census bureau by office of local government. Amends TCA Title 2, Chapter 3. by *Hargrove, *Rinks. (*SB832 by *Crutchfield)

Further consideration of House Bill No. 987 previously considered on today's Calendar.

Rep. Hargrove moved that **House Bill No. 987** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	97
Noes	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

***House Bill No. 1839** -- Alcoholic Beverages - Authorizes bed and breakfast establishments located in Putnam County to serve alcoholic beverages for consumption on premises. Amends TCA Title 57, Chapter 4. by *Hargrove. (SB1822 by *Cohen)

Further consideration of House Bill No. 1839 previously considered on today's Calendar.

Rep. U. Jones moved adoption of State and Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1839 By deleting in its entirety all the language following the enacting clause, and by substituting instead the following language:

SECTION 1. Tennessee Code Annotated, Section 57-4-101, is amended by adding the following as a new subsection:

() It is lawful to serve wine to be consumed on the premises of any bed and breakfast establishment, as hereinafter defined, to the guests of the bed and breakfast establishment, subject to the further provisions of this chapter other than Section 57-4-103.

SECTION 2. Tennessee Code Annotated, Section 57-4-102, is amended by adding the following new subdivision:

() "Bed and breakfast establishment" has the same meaning as set forth in §68-14-502(1)(A), provided that such bed and breakfast establishment is located in a county having a population of not less than fifty-one thousand three hundred fifty (51,350) nor more than fifty-one thousand four hundred fifty (51,450) according to the 1990 federal census or any subsequent federal census and has eleven (11) furnished guest rooms.

SECTION 3. This act shall take effect July 1, 1999, the public welfare requiring it.

On motion, State and Local Government Committee Amendment No. 1 was adopted.

Rep. Hargrove moved that **House Bill No. 1839**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	68
Noes	23
Present and not voting	5

Representatives voting aye were: Armstrong, Arriola, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), DeBerry J., DeBerry L., Eckles, Fitzhugh, Givens, Gunnels, Hagood, Hargrove, Harwell, Hassell, Head, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, McCord, McKee, McMillan, Miller, Montgomery, Newton, Odom, Phelan, Phillips, Pleasant, Pruitt, Rinks, Robinson, Sands, Sargent, Scroggs, Stulce, Tidwell, Tindell, Todd, Turner (Hamilton), Turner (Shelby), Walker, West, Westmoreland, Whitson, Williams, Winningham, Mr. Speaker Naifeh -- 68.

Representatives voting no were: Baird, Beavers, Bunch, Davis (Washington), Dunn, Ferguson, Ford, Fraley, Godsey, Goins, Hargett, Hood, Maddox, McAfee, McDaniel, McDonald, Mumpower, Pinion, Rhinehart, Ridgeway, Sharp, Walley, Wood -- 23.

Representatives present and not voting were: Fowlkes, Jackson, Patton, White, Windle -
- 5.

A motion to reconsider was tabled.

CONSENT CALENDAR

***House Bill No. 1669** -- Foster Care - Authorizes foster care review boards to make direct referrals to juvenile courts in certain cases; sets time frames for hearings. Amends TCA Section 37-2-406. by *Fowlkes, *Walker (Rhea). (SB1918 by *Elsa, *Person)

On motion, House Bill No. 1669 was made to conform with **Senate Bill No. 1918**; the Senate Bill was substituted for the House Bill.

House Bill No. 1405 -- Motor Vehicles, Titling and Registration - Clarifies certain issuance requirements and revenue distribution formulas for cultural, specialty earmarked and new specialty earmarked license plates; sets requirements for issuance of future plates established by statute Amends TCA Title 55, Chapter 4. by *Fowlkes, *White, *Cooper B. (*SB1349 by *Cohen)

***House Bill No. 1478** -- Election Laws - Authorizes county election commission to transfer registration when voter moves outside precinct in which such voter is registered when certain conditions are met Amends TCA Title 2, Chapter 2 and Title 2, Chapter 7. by *Jones, S.. (SB1857 by *Haynes)

House Bill No. 1320 -- Notice, Public - Removes requirement of necessity to hold public meetings with participation by electronic means; substitutes determination by governing body that such participation is appropriate. Amends TCA Title 8, Chapter 44. by *Kisber. (*SB1457 by *Henry)

House Bill No. 422 -- Claims Commission, Tennessee - Prohibits mandatory dismissal of case by commission for claimant's failure to take action to advance claim to disposition, instead granting commission discretionary authority to dismiss claim. Amends TCA Section 9-8-402. by *Windle. (*SB336 by *Davis L)

***House Bill No. 552** -- Marriage - Adds United States administrative law judges to persons who may solemnize marriages. Amends TCA Section 36-3-301. by *Windle. (SB1303 by *Davis L)

***House Bill No. 941** -- Judges and Chancellors - Provides that membership of court of the judiciary always include at least one appointee currently and regularly exercising juvenile court jurisdiction. Amends TCA Section 17-5-201. by *Scroggs. (SB1375 by *Person)

On motion, House Bill No. 941 was made to conform with **Senate Bill No. 1375**; the Senate Bill was substituted for the House Bill.

***House Bill No. 1496** -- Taxes, Ad Valorem - Clarifies that applicable statute of limitations for collection of ad valorem taxes assessed against real and personal property by cities and counties controlled by TCA 67-5-1806 (i.e., ten years from April 1 of year following year in which taxes became delinquent) and not six year statute of limitations that applies to state tax collection under TCA 67-1-1429 or privilege tax collection under TCA 67-1-1501 Amends TCA Section 67-1-1429 and Section 67-1-1501. by *Scroggs. (SB1914 by *Rochelle)

On motion, House Bill No. 1496 was made to conform with **Senate Bill No. 1914**; the Senate Bill was substituted for the House Bill.

MONDAY, MAY 3, 1999 -- TWENTY-FIFTH LEGISLATIVE DAY

***House Bill No. 1497** -- Taxes, Personal Property - Creates tax waivers regarding personal and real property if certain findings made by tax collecting officer or court. Amends TCA Title 67, Chapter 5. by *Scroggs. (SB1915 by *Rochelle, *Davis L)

On motion, House Bill No. 1497 was made to conform with **Senate Bill No. 1915**; the Senate Bill was substituted for the House Bill.

House Bill No. 1113 -- Unemployment Compensation - Establishes that discharge resulting from positive drug or alcohol test resulting in certain BAC level or refusal to take a drug or alcohol test is discharge for misconduct connected to work and disqualifies individual from unemployment benefits. Amends TCA Sections 50-7-302(a)(9) and 50-7-303(a)(2). by *Scroggs, *Walker (Rhea). (*SB1597 by *Ramsey, *Elsea)

***House Joint Resolution No. 148** -- Highway Signs - "O.H. Chambers and Arlie 'Little Joe' Woods, Jr. Memorial Bridge," bridge spanning Chambers Drive on U.S. 19E, Carter County. by *Cole (Carter).

***House Joint Resolution No. 175** -- Naming and Designating - C.R. "Doodle" White Overlook Park, S.R. 67, Carter County. by *Cole (Carter).

***House Bill No. 1912** -- Motor Vehicles, Titling and Registration - Authorizes issuance of Nashville Predators license plates Amends TCA Title 55, Chapter 4. by *West. (SB1823 by *Cohen)

House Bill No. 1664 -- Motor Vehicles, Titling and Registration - Authorizes issuance of Harley Owner's Group (HOG) license plates Amends TCA Title 55, Chapter 4. by *Phelan, *Buttry. (*SB1660 by *Burchett)

House Bill No. 1817 -- Fraternal Benefit Societies - Permits fraternal benefit societies to participate in reinsurance market Amends TCA Section 56-25-1304. by *Tidwell, *Phelan, *Ferguson, *McDaniel. (*SB1028 by *Crutchfield)

On motion, House Bill No. 1817 was made to conform with **Senate Bill No. 1028**; the Senate Bill was substituted for the House Bill.

***House Bill No. 1650** -- Landlord and Tenant - Authorizes landlords to tow or otherwise remove certain vehicles from real property rented or leased for residential purposes for certain traffic, parking and nuisance violations; deletes present law on subject Amends TCA Title 55, Chapter 16 and Title 66, Chapter 28. by *Williams (Williamson). (SB1851 by *Ramsey)

House Bill No. 1050 -- Air Pollution - Authorizes contract for purchase of goods and services pertaining to motor vehicle emission inspections to be extended by municipality, county or state for an additional 60 months. Amends TCA Section 55-4-130. by *Williams (Williamson). (*SB1496 by *McNally)

On motion, House Bill No. 1050 was made to conform with **Senate Bill No. 1496**; the Senate Bill was substituted for the House Bill.

MONDAY, MAY 3, 1999 -- TWENTY-FIFTH LEGISLATIVE DAY

***House Bill No. 811** -- County Officers - Excludes Sullivan County from statutory provision abolishing constables; authorizes election of constables from constable districts. Amends TCA Section 8-10-101. by *Godsey, *Westmoreland, *Mumpower, *Givens, *Davis (Washington). (SB1529 by *Ramsey)

***House Bill No. 1686** -- Public Health and Health Care - Revises Memphis Plan Act to raise the limit on the number of eligible employees from 50 to 200; raises income limit from 150 to 200 percent of poverty. Amends TCA Title 56, Chapter 7, Part 20. by *Chumney. (SB1752 by *Kyle, *Dixon)

On motion, House Bill No. 1686 was made to conform with **Senate Bill No. 1752**; the Senate Bill was substituted for the House Bill.

***House Bill No. 1842** -- Employees, Employers - Requires employer to provide reasonable unpaid break time each day for employee to express breast milk for infant child. Amends TCA Title 50, Chapter 1, Part 3. by *Chumney. (SB1856 by *Cohen, *Kyle)

On motion, House Bill No. 1842 was made to conform with **Senate Bill No. 1856**; the Senate Bill was substituted for the House Bill.

***Senate Joint Resolution No. 53** -- Memorials, Government Officials - Urges president to take all necessary measures to respond to surge of steel imports resulting from international financial crises and to enforce all applicable trade agreements and laws of United States pertaining to steel imports. by *Burchett, *Crowe.

House Bill No. 1358 -- Banks and Financial Institutions - Authorizes credit card state banks to make personal and consumer loans; authorizes making of commercial loans if charter of new bank contains provision or if charter of present bank is amended electing to engage in commercial lending; adds definition of "loan" as any extension of credit for personal, consumer or commercial purposes. Amends TCA Title 45, Chapter 2, Part 19. by *Fitzhugh, *Rhinehart, *Phelan, *Lewis, *Rinks, *Gunnels. (*SB1120 by *Cooper)

On motion, House Bill No. 1358 was made to conform with **Senate Bill No. 1120**; the Senate Bill was substituted for the House Bill.

House Bill No. 1429 -- Education - Requires certain dropout information to include event rates and cohort rates; requires certain LEAs to develop reasonable plans for reducing certain dropout rates. Amends TCA Section 49-1-211 and Section 49-1-216. by *Miller L, *Cooper B, *Towns. (*SB676 by *Dixon)

***House Joint Resolution No. 85** -- General Assembly, Directed Studies - Requests utility management review board to form committee composed of representatives of water, electricity and gas utilities to study issue of common meter reading and billing for all utilities. by *Buck.

***House Joint Resolution No. 166** -- Highway Signs - "William Thomas Cutchin Bridge," bridge over Forked Deer River, U.S. 51. by *Cole (Dyer).

MONDAY, MAY 3, 1999 -- TWENTY-FIFTH LEGISLATIVE DAY

***House Bill No. 1872** -- Business Organizations - Deletes requirement that limited liability company file certain information that commissioner of revenue may require; directs penalties for limited liability companies that have not filed certain information. Amends TCA Section 48-247-101. by *Sharp, *McDaniel. (SB1793 by *Leatherwood, *McNally)

On motion, House Bill No. 1872 was made to conform with **Senate Bill No. 1793**; the Senate Bill was substituted for the House Bill.

***House Bill No. 1891** -- Abuse - Permits disclosure of abuse records and information to certain persons assisting in abuse treatment and advocacy, without loss of confidentiality; redefines "confidential information." Amends TCA Section 37-1-612. by *Turner (Hamilton), *Chumney, *West, *Ridgeway, *Briley, *Eckles, *Jones, S.. (SB1879 by *Crutchfield)

House Bill No. 986 -- Taxes, Real Property - Authorizes state division of property assessments to take steps necessary to ensure compliance with classification and assessment requirements of county found in noncompliance if assessor of property or county is unable or unwilling to comply; requires county to reimburse state for costs incurred. Amends TCA Section 67-5-505. by *Hargrove, *Kisber, *McDaniel. (*SB914 by *Rochelle)

On motion, House Bill No. 986 was made to conform with **Senate Bill No. 914**; the Senate Bill was substituted for the House Bill.

House Bill No. 1258 -- Banks and Financial Institutions - Revises certain procedures concerning remedies for nonpayment of rent on safe deposit boxes. Amends TCA Section 45-2-907. by *White, *Fitzhugh. (*SB1079 by *Womack)

House Bill No. 1537 -- Taxes, Real Property - Changes requirement that property assessment notice describe previous year's assessment in manner which shows change in current year to requirement that both years' assessment and classification be shown. Amends TCA Section 67-5-508. by *White. (*SB1456 by *Henry)

On motion, House Bill No. 1537 was made to conform with **Senate Bill No. 1456**; the Senate Bill was substituted for the House Bill.

***House Joint Resolution No. 180** -- Highway Signs - "Buford Garner Bridge," bridge spanning Elk River on U.S. 31 in Elkton. by *Fowlkes, *White.

***House Bill No. 1828** -- Landlord and Tenant - Requires law enforcement agency and district attorney general to keep confidential identity of person who provides evidence or information that leads to eviction of tenant for controlled substance or prostitution violations Amends TCA Title 66, Chapter 7. by *DeBerry J., *Miller L., *Turner (Shelby), *Jones U (Shelby), *Brooks, *Pruitt, *Jones, S., *Briley, *Rhinehart, *Scroggs, *Cooper B, *Langster. (SB1894 by *Kyle)

MONDAY, MAY 3, 1999 -- TWENTY-FIFTH LEGISLATIVE DAY

***House Bill No. 1616** -- Real Estate Agents and Brokers - Prohibits payment of referral fees unless prior agency relationship exists. Amends TCA Title 62, Chapter 13. by *McMillan, *Rinks, *Godsey, *Mumpower, *Williams (Williamson), *Bone, *Bowers, *Lewis, *Head, *Sands. (SB1826 by *Ramsey)

On motion, House Bill No. 1616 was made to conform with **Senate Bill No. 1826**; the Senate Bill was substituted for the House Bill.

House Bill No. 1096 -- Naming and Designating - "The State Theatre of Tennessee," Tennessee Theatre in Knoxville. by *Buttry, *Hagood, *Bittle, *Boyer, *Tindell, *Armstrong, *Dunn. (*SB883 by *Atchley)

On motion, House Bill No. 1096 was made to conform with **Senate Bill No. 883**; the Senate Bill was substituted for the House Bill.

***House Bill No. 1483** -- Governor - Establishes membership of Tennessee Executive Residence Preservation Foundation. Amends TCA Title 4, Chapter 23. by *Harwell. (SB1800 by *Clabough)

***House Bill No. 916** -- Courts, Chancery - Authorizes city judges to administer oaths. Amends TCA Title 16, Chapter 18. by *Bone. (SB984 by *Rochelle)

On motion, House Bill No. 916 was made to conform with **Senate Bill No. 984**; the Senate Bill was substituted for the House Bill.

House Bill No. 1294 -- Barbers - Clarifies that, while removing authorization for issuance of a special certificate of registration to a person to practice barbering, such person cannot be denied the right to continue practicing until voluntarily surrenders such special certificate of registration. Amends TCA Section 62-3-132. by *Ford S. (*SB1559 by *Haun)

On motion, House Bill No. 1294 was made to conform with **Senate Bill No. 1559**; the Senate Bill was substituted for the House Bill.

House Bill No. 1183 -- Bonding, Surety and Professional - Restricts circumstances under which fidelity or bonding company shall be required to make additional deposit of assets with any judicial district as additional security for any bonds and obligations executed in course of judicial proceedings. Amends TCA Section 56-15-101. by *Scroggs. (*SB424 by *Atchley)

House Joint Resolution No. 184 -- Naming and Designating - "Osteoporosis Week," May 9-15, 1999. by *Bowers, *Eckles, *Hagood, *Beavers, *Black, *Jones, S., *Langster, *McMillan, *Brown, *Pruitt, *Brooks, *Chumney, *Cooper B.

***House Joint Resolution No. 179** -- Highway Signs - "Mansfield Douglas, III, Highway," U.S. 3, Davidson County. by *Pruitt, *Arriola, *Garrett, *Briley, *West, *Langster, *Odom, *Robinson, *Jones, S., *Harwell.

MONDAY, MAY 3, 1999 -- TWENTY-FIFTH LEGISLATIVE DAY

House Bill No. 1108 -- Sentencing - Requires board of probation and parole to conduct presentence physical and mental examinations of indigent persons found guilty of crime. Amends TCA Section 40-35-205. by *Newton, *Boyer, *Cooper B. (*SB1592 by *Crowe, *Atchley)

On motion, House Bill No. 1108 was made to conform with **Senate Bill No. 1592**; the Senate Bill was substituted for the House Bill.

Senate Joint Resolution No. 211 -- Naming and Designating - "Tennessee State Employee Week," May 9-16, 1999. by *Crutchfield, *Atchley, *Blackburn, *Burchett, *Burks, *Carter, *Clabough, *Cohen, *Cooper, *Crowe, *Crutchfield, *Davis L, *Dixon, *Elsea, *Ford J, *Fowler, *Graves, *Harper, *Haun, *Haynes, *Henry, *Herron, *Kurita, *Kyle, *Leatherwood, *McNally, *Miller J, *Person, *Ramsey, *Rochelle, *Springer, *Wilder, *Williams, *Womack.

House Joint Resolution No. 186 -- Naming and Designating - Tennessee Osteoporosis Prevention Month, May 1999. by *Pruitt, *Jones, S., *West, *Arriola, *Briley, *Robinson, *Eckles, *Brown, *Langster, *Brooks, *Turner (Hamilton), *Cooper B.

House Bill No. 1949 -- Jonesborough - Subject to local approval, transfers authority over town recorder from board of mayor and aldermen to town administrator. Amends Chapter 135 of the Acts of 1903; as amended. by *Patton. (SB1943 by *Crowe)

House Bill No. 1950 -- Gleason - Subject to local approval, revises charter relative to mayoral duties and filling vacancies. Amends Chapter 33 of the Private Acts of 1985. by *Maddox. (SB1950 by *Herron)

House Bill No. 1951 -- Carroll County - Authorizes West Carroll special school district, located in Carroll County, to sell bonds, by resolution of board of education of district, in aggregate amount of \$7.5 million for school buildings and facilities. Amends Chapter 109 of the Private Acts of 1981. by *Phelan. (SB1945 by *Carter)

On motion, House Bill No. 1951 was made to conform with **Senate Bill No1945**; the Senate Bill was substituted for the House Bill.

House Bill No. 1952 -- McKenzie - At request of board of special school district, renames "McKenzie High School District" to "McKenzie Special School District"; revises terms of board members. Amends Chapter 533 of the Private Acts of 1917. by *Maddox. (SB1946 by *Carter)

House Bill No. 1953 -- Caryville - Subject to local approval, revises hotel motel tax. Amends Chapter 39 of the Private Acts of 1981. by *Baird. (SB1947 by *McNally)

House Bill No. 1954 -- Benton County - Subject to local approval, rewrites budget system. Amends Chapter 541 of the Private Acts of 1939. Repeals Chapter 9 of the Private Acts of 1973. by *Tidwell. (SB1949 by *Herron)

House Bill No. 1955 -- Palmer - Subject to local approval, requires candidates for office of mayor or aldermen to have high school diploma or G.E.D. Amends Chapter 318 of the Private Acts of 1925. by *Lewis. (SB1951 by *Cooper)

MONDAY, MAY 3, 1999 -- TWENTY-FIFTH LEGISLATIVE DAY

House Bill No. 1957 -- Cowan - Subject to local approval, increases salary of mayor to \$300 per month and salary of council members to \$100 per month. Amends Chapter 100 of the Private Acts of 1967; as amended. by *Fraleigh. (SB1952 by *Cooper)

House Bill No. 1958 -- Meigs County - Subject to local approval, prohibits connection of utility service to building or improvement unless proof furnished to provider of utility service that building compliance permit has been obtained as required by zoning regulations. by *Newton. (SB1948 by *Elsa)

House Bill No. 1959 -- Richard City - Makes various revisions to special school district's powers and duties; revises sale of district's coupon bonds. Amends Chapter 93 of the Private Acts of 1920; as amended. by *Rhinehart. (SB1942 by *Elsa)

House Bill No. 1964 -- Obion County - Subject to local approval, transfers duties of juvenile court clerk to circuit court clerk. Amends Chapter 326 of the Private Acts of 1982. by *Pinion. (SB1956 by *Herron)

House Joint Resolution No. 210 -- Memorials, Sports - Coach Jimmy Allen and 1956 Lebanon Junior High football team reunion. by *Bone.

House Joint Resolution No. 212 -- Memorials, Recognition - University of Memphis; University College. by *DeBerry J.

OBJECTION -- CONSENT CALENDAR

Objection(s) was/were filed to the following on the Consent Calendar:

House Bill No. 1405: by Rep(s). Bowers and Armstrong

House Bill No. 1478: by Rep. Chumney

House Bill No. 1113: by Rep(s). Cooper and Chumney

House Bill No. 1650: by Rep. Chumney

House Bill No. 1258: by Rep. White

House Bill No. 1953: by Rep. Hargrove

Under the rules, House Bill(s) No(s). 1405, 1478, 1113, 1650, 1258 and 1953 was/were placed at the foot of the calendar for May 5, 1999.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

MONDAY, MAY 3, 1999 -- TWENTY-FIFTH LEGISLATIVE DAY

Ayes95
Noes0
Present and not voting3

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Boyer, Briley, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

Representatives present and not voting were: Bowers, Brooks, Eckles -- 3.

A motion to reconsider was tabled.

MESSAGE CALENDAR

HOUSE ACTION ON SENATE AMENDMENTS

***House Bill No. 508** -- Consumer Protection - Imposes additional consumer protections for contests and sweepstakes. Amends TCA Title 47, Chapter 18, Part 1. by *Odom, *Bowers, *Pleasant, *Miller L, *Towns. (SB625 by *Haynes, *Miller J, *Kurita, *Crowe)

Senate Amendment No. 1

AMEND House Bill No. 508 By deleting subsection (g)(3) in its entirety from the amendatory language of Section 1 and by substituting instead the following language:

(3) This section does not apply to solicitations or representations in connection with the sale or purchase of books, recordings, videocassettes, periodicals, and similar goods through a membership group or club which is regulated by the federal trade commission or to contractual plans or arrangements such as continuity plans, subscription arrangements, standing order arrangements, supplements, single sales, and series arrangements, under which the seller periodically ships merchandise to a consumer who has consented in advance to receive the merchandise on a periodic basis.

Rep. Odom moved that the House concur in Senate Amendment(s) No(s). 1 to **House Bill No. 508**, which motion prevailed by the following vote:

Ayes97
Noes0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

HOUSE ACTION ON SENATE AMENDMENTS

House Bill No. 1310 -- Tobacco, Tobacco Products - Enacts "Tennessee Tobacco Farmers Certifying Board Act of 1999." Amends TCA Title 43, by *Givens, *Bowers, *Ferguson, *Roach, *Walker (Rhea), *Bone. (*SB1581 by *Haun, *Burks, *Williams)

Senate Amendment No. 1

AMEND House Bill No. 1310 By adding the following as a new section to precede the effective date section:

SECTION _____. Tennessee Code Annotated, Section 4-29-222(a), is amended by adding a new item thereto, as follows:

() Tennessee tobacco farmers certifying board, created by Section 4 of this act;

Rep. Givens moved that the House concur in Senate Amendment(s) No(s). 1 to **House Bill No. 1310**, which motion prevailed by the following vote:

Ayes	98
Noes	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.

UNFINISHED BUSINESS

RULES SUSPENDED

Rep. L. DeBerry moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 216 out of order, which motion prevailed.

House Joint Resolution No. 216 -- Memorials, Personal Occasion - Augusta Blue Harris, 80th birthday. by *DeBerry L.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. L. DeBerry, the resolution was adopted.

A motion to reconsider was tabled.

RULES SUSPENDED

Rep. Davidson moved that the rules be suspended for the purpose of introducing Senate Joint Resolution No. 230 out of order, which motion prevailed.

Senate Joint Resolution No. 230 -- Memorials, Recognition - Recognizes Tuesday, May 4, 1999, as "National Teachers' Day". by *Womack.

On motion, the rules were suspended for the immediate concurrence in the resolution.

On motion of Rep. Davidson, with the request that all members voting aye be added as sponsors, the resolution was concurred in.

A motion to reconsider was tabled.

RULES SUSPENDED

Rep. Hargrove moved that the rules be suspended for the full House Judiciary Committee to meet on both Tuesday, May 4, 1999 and Wednesday, May 5, 1999, which motion prevailed.

RULES SUSPENDED

Rep. Hargrove moved that the rules be suspended for **House Bill No. 1247** to be heard in the Civil Practice Subcommittee of the House Judiciary Committee on Wednesday, May 5, 1999, which motion prevailed.

MONDAY, MAY 3, 1999 -- TWENTY-FIFTH LEGISLATIVE DAY

RULES SUSPENDED

Rep. Hargrove moved that the rules be suspended to adopt the following changes to the House Schedule for the week of May 5, 1999, which motion prevailed:

TUESDAY

11:30 - 1:00 JUDICIARY COMMITTEE

WEDNESDAY

9:00 - 10:30 STATE AND LOCAL GOVERNMENT COMMITTEE
12:30 - 2:00 CHILDREN AND FAMILY AFFAIRS COMMITTEE

NOTICE TO ACT ON SENATE MESSAGES

Pursuant to **Rule No. 59**, notice was given that the following measure(s) from the Senate would be considered on May 5, 1999:

Senate Bill No. 1455: by Rep. Kisber

Senate Bill No. 260: by Rep. McMillan

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 1120: Rep(s). West and Montgomery as prime sponsor(s).

House Bill No. 1813: Pruitt as prime sponsor(s).

House Bill No. 415: Rep(s). Cole (Dyer) as prime sponsor(s).

MESSAGE FROM THE GOVERNOR
May 3, 1999

MR. SPEAKER: I am directed by the Governor to return herewith: House Joint Resolution(s) No(s). 52, with his approval.

COURTNEY PEARRE, Counsel to the Governor.

MONDAY, MAY 3, 1999 -- TWENTY-FIFTH LEGISLATIVE DAY

MESSAGE FROM THE GOVERNOR
May 3, 1999

MR. SPEAKER: I am directed by the Governor to return herewith: House Joint Resolution(s) No(s). 50, 80, 88 and 92, with his approval.

COURTNEY PEARRE, Counsel to the Governor.

SIGNED
May 3, 1999

The Speaker signed the following: Senate Bill(s) No(s). 462 and 1603.

MESSAGE FROM THE SENATE
May 3, 1999

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 36, 675, 676 and 1268; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE
May 3, 1999

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 619; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

ENGROSSED BILLS
May 3, 1999

The following bills have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 262, 297, 321, 783, 978, 987, 993, 1006, 1056, 1218, 1219, 1400, 1490, 1542, 1588, 1839, also, House Joint Resolution(s) No(s) 116 and 216.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE
May 3, 1999

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 364, 913, 1140 and 1331; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MONDAY, MAY 3, 1999 -- TWENTY-FIFTH LEGISLATIVE DAY

MESSAGE FROM THE SENATE

May 3, 1999

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 26, 226, 247, 260, 436, 482, 845, 858, 1255, 1495 and 1948; signed by the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

ENGROSSED BILLS

May 3, 1999

The following bills have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 422, 552, 811, 1183, 1320, 1429, 1483, 1664, 1828, 1891, 1912, 1949, 1950, 1952, 1954, 1955, 1957, 1958, 1959, 1964, also, House Joint Resolution(s) No(s) 85, 148, 166, 175, 179, 180, 184, 186, 210 and 212.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

ROLL CALL

The roll call was taken with the following results:

Present.....98

Representatives present were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

RECESS MOTION

On motion of Rep. Hargrove, the House stood in recess until 2:00 p.m., Wednesday, May 5, 1999.